Judge Bans Kunstler From Gay Lib Trial

1-28-72

TOPEKA, Kan., Jan. 27 (UPI) —Attorney William Kunstler of "Chicago Seven" notoriety was banned today from representing a homosexual organization in a federal court suit against the University of Kansas.

Outside the courtroom, Kunstler immediately accused U.S. District Judge George Templar of "gross violation of the First Amendment."

Templar told Kunster he could not appear before him as an attorney in a case in which the Gay Liberation Front at the university seeks to force its recognition as an official campus organization, entitling it to a share of student activity fees.

Templar said he acted because of Kunstler's "disdain and contempt" toward the judicial process. Jack Klinkett, a young attorney admitted to the bar in 1970, took over in Kunstler's stead while the first assistant state attorney general, John Martin, represented the university.

Kunstler said during a recess that, "A judge is exercising his power to keep lawyers out of his court because he doesn't like what they say. I can't imagine a grosser violation of the First Amendment. The judge knows what he's done is constitutionally invalid."

Professor Charles Oldfather of the University of Kansas law school, a witness for the university, stood up and addressed the court in Kunstler's behalf, saying he thought he should be permitted to appear.

"I stand here as a member of the bar and one admitted to this court," he said. "I guess there are times when one must stand and speak."

Kunstler called Oldfather's statement an act of "enormous courage."

Templar cited as a reason for his barring Kunstler the lawyer's "Persistent enunciation that these courts are not the place to get justice. Without the courts, these poor people you've misguided would be in a deplorable situation."

Kunstler said it was the first time in 30 years of practice that he had been barred from representing a client in court.